

YUKON-KUSKOKWIM DELTA SUBSISTENCE REGIONAL ADVISORY COUNCIL
PUBLIC MEETING
October 4th, 1994
KVNA Building
Bethel, Alaska

VOLUME II

COUNCIL MEMBERS PRESENT:

Harry O. Wilde, Sr., Chairman
Paul John, Member
Steven White, Member
Antone K. Anvil, Member
Gene R. Petola, Member

John Andrew, Coordinator

Sophie Evan, Interpreter

P R O C E E D I N G S

CHAIRMAN WILDE: Well, I think we start our meeting this morning. Some of you guys attended the meeting yesterday at the -- up in Fish and Wildlife meeting place that we didn't close the meeting, we just adjourned the meeting for a day. So this morning we're not going to really follow the agenda the way it is, however, we will get into some of them. Some of this on the agenda we -- been approve yesterday when we were a quorum. This morning we don't have no quorum, but we will support of the things need to be support, and also it's mostly a work session this morning with the public and the same time that we have staff here to help the public, show them how to make proposals and all that.

So this morning, before we start, I'm going to ask Joe Chief start our meeting with invocation. Joe?

MR. CHIEF: (Gives invocation in Yup'ik)

CHAIRMAN WILDE: Koyana, Joe. This morning we're not quorum; however, that I would like to introduce the Board attending here. We have some -- this morning four boards here and I think it's better for me to let them introduce themselves. (In Yup'ik)

MR. JOHN: My name is Paul John from Toksook Bay, Advisory Council.

MR. ANVIL: My name's Antone Anvil, Subsistence Regional Council member from Bethel.

MR. WHITE: My name is Steven White from Eek, and I'm Advisory Council also.

CHAIRMAN WILDE: Yeah, Harry Wilde from Mountain Village, Advisory Board Yukon/Kuskokwim Delta.

MR. ANDREW: (In Yup'ik) John Andrew, Regional Coordinator (in Yup'ik).

CHAIRMAN WILDE: We may go around now, all the way around, introduce yourself.

MR. FISHER: Dave Fisher with the Fish and Wildlife Service, subsistence office in Anchorage.

MR. COFFING: I'm Mike Coffing, formally with the Division of Subsistence, Fish and Game, now with Fish and Wildlife Service, subsistence here in Bethel.

MS. DOWNING: Meredith Downing, R & R Court Reporters, Anchorage.

INTERPRETER EVAN: Sophie Evan, I'm the interpreter.

MR. MATHEWS: Vince Mathews, subsistence office, Fish and Wildlife Service, Anchorage.

CHAIRMAN WILDE: James?

MR. LUKE: James Luke, Mountain Village.

MR. MARTIN: Calvin Martin, Rutgers University.

MR. DYASUK: Jon Dyasuk, Togiak Refuge.

MR. AFCAN: Paschal Afcan, Fish and Wildlife in Bethel.

MR. CHIEF: He's from here in Bethel, and was born here. He's here with these young men here. He's not here on himself. He's here with the strength of God.

MR. POSPAHALA: Dick Pospahala, Fish and Wildlife Service, Subsistence Management Office in Anchorage.

MR. ADERMAN: Andy Aderman, Togiak National Wildlife Refuge, Dillingham.

MR. BOOTH: Tony Booth, U.S. Fish and Wildlife Service Refuge Office in Anchorage.

MR. KACYON: Randy Kacyon, Alaska Department of Fish and Game, Bethel.

MR. MOGART: John Mogart, U.S. Fish and Wildlife Service here in the Yukon Delta National Wildlife Refuge, Bethel.

MR. STROM: Denny Strom, Fish and Wildlife Service here at the Yukon Delta Refuge, Bethel.

MS. POWELL: Donna Powell, Fish and Wildlife Service, Togiak Refuge in Dillingham.

CHAIRMAN WILDE: Yeah. Glad to have you this morning, and listen to us, some of the things that we have been taking care of and some need to be explained, and this morning we have to depend on a lot of our -- what we're doing depends -- depending on the staff. We have been working some of this, and we want to make sure that the public will know what we're doing and understand.

We need to have a couple of review on defeated proposals, Proposals 54 and Proposal 58. One of the staff, will you please explain what has been done? Someone here from the staff?

MR. MATHEWS: Mr. Chairman, the way we're going to do this, Vince Mathews, is Mike Coffing will cover Proposal 54 dealing with moose on Unit 21(E). I will cover Proposal 58, and then your action the designated hunter task force report, and then your proposal for a caribou season north of the Yukon River. And so we'll start off with my doing proposal 54.

CHAIRMAN WILDE: Yeah, before we do, I may introduce our new -- one of our new Council, just elected, Gene Petola. Now we are a quorum, we can do the business.

MR. PETOLA: I was supposed to be travelling to Kotlik, but Kotlik didn't have a quorum for their meeting, so they called

this morning and asked that it be rescheduled.

CHAIRMAN WILDE: Yeah.

MR. MATHEWS: Mr. Chairman, I failed to mention that what we're going through here, is you're not taking any official action on these. This is just to clarify it, to make sure that we captured what you did yesterday. So for the public that's here, these are actions they've already taken. Mike and I tried to capture what went on so we can get these into the process sooner than waiting for the Court Reporter. So I failed to mention that. Sorry.

MR. COFFING: Mr. Chairman, I will start with Proposal 54, actual action that you took related to proposal 54. The first one we'll deal with is on this green colored paper

CHAIRMAN WILDE: Uh-huh.

MR. COFFING: you have here, and due to -- as a result of Council action yesterday, what you did was you essentially made a new proposal, and I've written down here, hopefully I've captured what you wanted to do there. What we're going to do here is just step through this.

Item number one asked us to identify what regulation you want changed, and the Council wants to moose hunting regulations in Unit 19(A), excluding the portion of the regulation that affects residents of Lime Village. Specifically the Council asked that the Federal regulations mirror the State regulations, except that they wanted a January season added to the regulations, so to do that, the way the regulation would now read, the proposed change, is that Unit 19(A), that portion north of the Kuskokwim River, upstream from, but not including the Kolmakof River drainage, and south of the Kuskokwim River upstream, but not including the Holokuk River drainage, one moose; however, antlerless moose may be taken only during the February 1 to 10 season.

The season dates on the right side there for that portion of Unit 19(A) are September 1 to 20, which is what the current State regulation -- State season is for September, November 20 to 30. We've added a January 1 to 10 season. And then the concurrent State season here that's reflected under the February 1 to February 10 season.

For the remainder of Unit 19(A), and that would be essentially that portion of 19(A) downstream of the Holokuk, Kolmakof drainages, that is the western portion of 19(A), the regulation is remainder of Unit 19(A), one bull, September 1 to 20, November 20 to 30, January 1 to 10, and February 1 to 10.

Maybe I'll break right there for a minute and ask you if that reflects the season dates and the area that you want -- you wanted affected.

MR. PETOLA: It was precisely what the motion said, yes.

MR. COFFING: Item number three asks why the regulation

should be changed, and I'd like to get some more input from the Council here. I want to be sure that -- that what we have down reflects what your concerns are, and your reasons here. And it now reads it would be -- it would better align the Federal and State fall and winter seasons and would also allow for a harvest during January, while protecting cow moose in western Unit 19(A).

And I think before I go on, maybe we can do this item by item, if you'd like. I guess I'll ask the Chair, how would you like to proceed? Would you like me to go -- do it one at a time and comment on them, or continue through it and then comment at the end of it?

CHAIRMAN WILDE: Maybe one at a time would

MR. ANVIL: Uh-huh.

MR. COFFING: Okay.

MR. ANVIL: Then we don't get

CHAIRMAN WILDE: Yeah. Okay.

MR. ANVIL: confused.

CHAIRMAN WILDE: Uh-huh. One at a time would be the request.

MR. COFFING: Okay. Any comments -- I guess I'd seek direction from the Council on number three, item number three there then. Any changes you'd like? Or anything you'd like to add or delete from that?

MR. PETOLA: Mr. Chairman, I think -- I think that the description to the question in item number three is adequate.

MR. COFFING: Okay. I'll continue on then to item number four, and the question on the proposed form is, how will this change in the regulations affect wildlife populations? And I put down here that it could provide more protection for cow moose. Essentially it does provide for some additional harvest time. That's kind of covered under the next topic, but I seek some guidance on reasons for number four, things to add or delete from number four?

MR. PETOLA: I think -- Mr. Chairman, if I can?

CHAIRMAN WILDE: Yeah, go ahead.

MR. PETOLA: I think under four I would add what -- basically what you have in number three, provide more protection for cow moose in the western Unit 19(A). That's basically the area that

MR. COFFING: Okay.

MR. PETOLA: the management unit was probably more densely populated than the -- any other area.

MR. COFFING: Okay. So to clarify here, you would say, "it could provide more protection of cow moose in the western Unit 19(A)?"

MR. PETOLA: Yeah. Like you have with

MR. COFFING: Okay.

MR. PETOLA: number three.

MR. COFFING: Okay. That change made. Any other suggestions or changes on number four?

I'll move on to number five then. That's on the backside of the page there. How will this change affect subsistence users? This change in regulation would provide more total hunting opportunity, that is, you're adding -- you're adding the January season, and you're shifting some other seasons a bit, but essentially you're adding more hunting time, and it would also close a portion -- actually that should be western

MR. PETOLA: Western.

MR. COFFING: portion. It would close the western portion of Unit 19(A) to the harvest of antlerless moose.

I might mention, and I'd seek the guidance of Mr. Fisher here also. I noticed that in the other Federal regulations where there is a bull only harvest allowed, it essentially says "one antlered bull," and on the front page here I put in brackets the word "antlered". If -- and saying one bull would allow for antlerless bulls to be taken in the western portion of Unit 19(A). I guess I just wanted to bring that -- you know, make that comment so that

MR. PETOLA: I would take the "antlered" and brackets out.

MR. COFFING: Okay.

MR. PETOLA: Because effectively you -- what you would be doing is if you -- if it's an antlered bull, you wouldn't have a February 1 to February 10 season. And you may not even have a January 1 to January 10 season,

MR. COFFING: Uh-huh.

MR. PETOLA: other than two and three year olds is the only -- only thing that would have antlers left. So I would just put "one bull".

MR. COFFING: Okay. Okay. That change is made.

Again, I'll -- before I go on to number six, I'll ask if there are any other changes? I've -- we've made one typo error here on my part. We changed word "eastern" to "western" in item number five there, "western portion of Unit 19(A)." Any other suggested changes to item five there?

MR. PETOLA: It looks fine. All right.

MR. COFFING: Okay.

CHAIRMAN WILDE: (In Yup'ik)

MR. ANVIL: No. (In Yup'ik)

CHAIRMAN WILDE: Uh-huh. Yeah. (In Yup'ik) Okay.

MR. COFFING: Okay. I'll go on to number -- item number six. If there's anything the Council wishes to add there as additional information to support this proposal, anything that the Council would like to add?

MR. PETOLA: It's fine.

CHAIRMAN WILDE: I suppose there's -- if it's -- if there's additional, we just -- I just tell Council members that they could speak out if they need additional.

MR. COFFING: Okay. All right. Well, that essentially is the end of the proposal. We can move.

CHAIRMAN WILDE: He's asking if any

MR. ANDREW: He's just saying that this is a review of their action on Proposal 58.

CHAIRMAN WILDE: Yeah. Uh-huh. Before we get into the next item, again I would like to introduce President of AVCP this morning, Myron Naneng, attending this -- in this public meeting. And -- (In Yup'ik)

And also that we would like to recognize one of -- one of our boss we call them I think, Dick Pospahala from Anchorage.

Yeah, go ahead.

MR. MATHEWS: Mr. Chairman, if you'd like, I'll proceed with what action you took on Proposal 58, if that's fine with the Council?

CHAIRMAN WILDE: I think we passed that yesterday, and

MR. MATHEWS: Yes.

CHAIRMAN WILDE: we just go over it this morning.

MR. MATHEWS: I just wanted to make sure that it -- I captured the reasonings of your action to maintain your earlier opposition to the deferred proposal 58. It would be this document here. I can go through what I thought was said by different Council members, if that's all right with the Chair?

CHAIRMAN WILDE: Uh-huh.

MR. MATHEWS: Okay. Yesterday you looked at Proposal 58, which is a deferred proposal from 94/95 season. Proposal 58 was to prohibit moose hunting within one-half mile of the Yukon River

during the February 1 through 10 season in Unit 21(E). Your action was to support your earlier opposition to that proposal. The justifications that I heard, and I would encourage Council members to correct me or add additions, was because it was difficult to determine in the field where the one-half mile distance from the Yukon is. There would be confusion amongst subsistence users, resulting in potential citations, and the Council believes in their traditional respecting wildlife and their cultural beliefs will protect the moose population present along the Yukon River during the Federal -- or during the February season. And in addition, the Council could find no biological reason to restrict subsistence use along the Yukon River.

Did that capture what the intent of the Council is?

CHAIRMAN WILDE: Uh-huh.

MR. MATHEWS: Okay. The next one that you took action on, I took what you said literally, and I apologize for that. Mr. Coffing explained to me that I didn't capture your whole intent. That was when you took action on the designated hunter task force report in dealing with the designated hunter option, that there was discussion about making sure that that option allowed for the continuing traditional Yup'ik practice of honoring the death of a family member. And I'll defer to Mr. Coffing, because he came up with wording that I think may have captured better what you intended on that.

MR. COFFING: Okay. The -- what I'm going to provide the Council is a suggested change to the wording under the motion or proposal paragraph to read as such: Motion proposal. To have the designated hunter option as described in the Designated Hunter Task Force Report incorporate wording to insure that a designated hunter can hunt for a family that must abstain from hunting because of traditional, cultural or religious reasons.

MR. PETOLA: Mr. Chairman, I've got a question. Shouldn't this motion or this language also address the individual that may be over 65 or blind or incapacitated? Or Disabled.

MR. COFFING: Yeah, I would -- and I'll defer to maybe Vince here to follow up on me if I'm not correct. My understanding that a portion of the Designated Hunter Task Force Report, that portion that describes designated hunter, does

MR. PETOLA: Already does that?

MR. COFFING: incorporate that by writing.

MR. PETOLA: Okay. It does?

MR. MATHEWS: Yes, it does. And if I remember yesterday, you wanted to make sure that it was clear to

MR. PETOLA: That it would be expanded to this.

MR. MATHEWS: the Board that -- that it would include the -- so it is covered by the -- there is no requirement of

disability, so it allows that persons to be incorporated into it.

CHAIRMAN WILDE: Yeah. I would like to ask one of the persons from -- will you tell us how that designated hunting -- hunter you've got that over in Dillingham area?

MR. DYASUK: Okay. I'll say it in

COURT REPORTER: Could you come up to the table?

MR. DYASUK: My name is Jon Dyasuk. I'm from Togiak Refuge. I'll speak in English first. When we were doing the Kilbuck Caribou, we just allowed lottery in villages. So the villages that we contacted and worked with, especially from Quinhagak and Goodnews, we found some people that stated that they don't -- you know, designated hunter be -- you know, the person have a problem. Now, that's just regarding to the conditions you guys are putting on. See, in the villages, to be truthful, we -- the people asked that, you know, the designated hunter be just anybody at that time. It was -- because a lot of time our villages, you know, that -- you know, there -- the people -- the people in our area there, they don't want to have no condition regarding to the -- you know, conditions you guys are putting on designated hunter. They'd like to have anybody they desire to -- desire to put -- whoever they desire as a designated hunter.

And there's a lot of reason that they used, that a lot of times that, you know, there -- the Council members in the villages have -- are not capable to the meetings, you know, that all they get is per diem only for the -- only for the hotels and meals, and that's what they use. And when they go, or decide to go, they're -- they're unable to provide for their families. And that was another thing that they kind of used.

And also another one is that, you know, in the villages especially in Goodnews and Platinum and Togiak, they're not so far from Dillingham, and they go to Dillingham as a hub, just like here Bethel is a hub. And at times some of our people drink to an excess, and run out of money to even go anywhere to hunt. So a lot of time they've got nothing to go hunting for. So a lot of times when they have nothing, somebody that's able -- able to go hunt for them, they designate that person to hunt for them. And that's what they -- they oftentimes use as designated.

MR. PETOLA: I would like to comment, the way I interpret this proposal, it in no way -- in no way hinders the ability to designate that hunter. I mean, that's -- there's no criteria there. What we were trying to accomplish is that State law does allow proxy hunting for individuals over 65 years of age that may be disabled or blind. We wanted to expand that under the designated hunter criteria to cover the traditional Yup'ik practice

MR. DYASUK: Okay. They

MR. PETOLA: of when someone dies in the family, that the sons or the children can't hunt for a period of one year, so they can -- that would fall into that criteria.

MR. DYASUK: They mentioned all those things,

MR. PETOLA: Yeah.

MR. DYASUK: too, not just those, what they

MR. PETOLA: Uh-huh.

MR. DYASUK: did with it, not just those kin,
but

MR. PETOLA: But this doesn't restrict in any way who you designate. That's still open.

MR. DYASUK: Yeah, a lot of times in our area, you know, the people are truthful in area pretty

MR. PETOLA: Yeah.

MR. DYASUK: much, and a lot of times when they're unable to hunt for themselves, because of staying in town too long. A lot of times they come back to their village and all they have is, you know, from -- and they couldn't even buy gas, and those people are healthy and well, you know, a lot of times if they're sitting kind of condition that -- upon them, you know, that they have to have some kind of disability that's going to -- it's written, you know, that some kind of food (ph) -- that might be just a criteria for the designated hunter. The only thing that I'm finding this out.

CHAIRMAN WILDE: Koyana.

MR. JOHN: Mr. Chairman?

CHAIRMAN WILDE: Yeah?

MR. JOHN: Maybe when you have a designated hunter, the designated hunter should use his gear, and then if it breaks down, and if he does not have the money to repair his gear, or the motor how is -- who will be responsible for those repairs.

CHAIRMAN WILDE: Uh-huh.

MR. AFCAN: Thank you, Mr. Chairman. I'm Paschal Afcan, originally from the Lower Yukon, St. Mary's. And I've been with the Fish and Wildlife Service for the past ten, 11 years. All during this time, ever since I left home, I have never had occasion to hunt any moose, or anything else for that matter. But I do have a disability. I have no right hand, and it's very hard for me to handle guns. It might be that I qualify for appointing a designated hunter if I so desire. But over all these years, I have never found it necessary to appoint any designated hunter for myself, because the people, the relatives and friends that I have in the Delta are always generous enough following their traditional Yup'ik customary and traditional practice of sharing what they have with me. And even some non-natives have done this for me over the years, especially during the past couple of years I've had some very generous friends providing me, for my family for the winter.

And as I see this designated hunter thing, it should not even be a matter for argument, because this is just Yup'ik practice, as well as Indian and even Aleut I'm sure. Your entire community along with other villages always share their moose or whatever thing they have, any food that is plentiful that they have acquired. So in essence everyone in a community and all the villages is a designated hunter as I see it, without having to go through any paperwork or anything like that. And unless there is some kind of thing like permit hunting where a person does -- wishes to participate and is the recipient of a permit, he could then go ahead and designate someone I'm sure, but as I see it, this -- this designated hunter thing is not much of a thing to argue and quarrel about, because that's just a traditional Yup'ik custom -- custom that everyone follows, both Indian, Aleut and Yup'ik, Inupiat as well. Thank you.

CHAIRMAN WILDE: Yeah. Koyana. So I would like to ask addition for this one, or correction or --? Yeah. Go ahead.

MR. COFFING: Mr. Chairman, I'd like to follow through. There are a couple of other changes at the bottom, the very last paragraph on the page,

CHAIRMAN WILDE: Uh-huh.

MR. COFFING: that we need to -- I guess that I would offer up to make it similar to the change we made to the other paragraph. So I'll read through the entire last paragraph there for the changes suggested.

"The designated hunter option appears to reflect the customary and traditional practice of one person harvesting subsistence resources for another person. The Council wants the designated hunter option to accommodate the Yup'ik traditional practice of after the death of a family member, the family is restricted from hunting for a year," end of sentence. "Specifically, the Council wants to insure that the designated hunter option allows someone to harvest subsistence resources for the family as the family abstains from hunting for traditional, cultural or religious reasons.

CHAIRMAN WILDE: (In Yup'ik) Yeah, go ahead.

MR. MATHEWS: Mr. Chairman, then all we have left is to look at the proposal that you agreed to yesterday, which was to submit a proposal to make the special action that you discussed yesterday on caribou seasons in Unit 18, to make them in regulations more permanent. That's this here. I can go down step by step, one to make sure that we captured that you wanted, if that's okay with the Chair?

CHAIRMAN WILDE: Yeah. Go ahead.

MR. MATHEWS: Okay. Number one is the question, "what regulation want changed? What existing regulation do you want changed? Be specific, give page number, Unit and/or species." This is a new season, so there wasn't any specific regulation that needed to be changed, so I put in there, "Add a caribou

season addressing Western Arctic caribou migrating into Unit 18." Does that capture? Okay.

Number two, "How would you like to see the regulation changed? Be specific. Rewrite the regulation the way you would like it written, et cetera. Unit 18 north of the Yukon River, caribou season of July 1 through June 30th; however cow moose (sic) may be

MR. PETOLA: Caribou.

MR. MATHEWS: may not be taken.

MR. PETOLA: Caribou.

MR. MATHEWS: Oh, sorry. I'm in moose today. Apologize. "Cow caribou may not be taken May 16th through June 30th. Harvest limit of 5 caribou per day." Does that capture?

MR. PETOLA: Okay.

MR. MATHEWS: Okay. Number three, "Why should this regulation be changed? Current Federal Regulations do not provide for an open season north of the Yukon River. The herd is healthy and can support the additional harvest. Regulations elsewhere for the herd should apply when the herd is healthy and is present in Unit 18. Passage of this proposal would increase the subsistence opportunity for subsistence users of Unit 18." Does that seem to capture the reason why you wanted this regulation?

CHAIRMAN WILDE: (In Yup'ik)

MR. PETOLA: Well, the only thing different, is that someone -- someone brought up yesterday, and it's a realistic scenario that the enabling of -- enabling ability to legally harvest Western Arctic caribou in Unit 18 would -- could take some pressure off the moose population where you have the Lower Yukon Moose Management Plan trying to build up that population, too.

CHAIRMAN WILDE: Yeah. I put that up yesterday, because

MR. PETOLA: Yeah.

MR. MATHEWS: Something that you've mentioned.

CHAIRMAN WILDE: Uh-huh. I mentioned that. That will help ultimate more like with the moose, that they come through.

MR. ANDREW: Mr. Chairman, he wants to add to -- towards this. He says the -- people, he was thinking the designated hunter you spoke about this at previous meetings, that our traditional ways are not recognized. That once it is not written down, they -- they can take a hunter and because of that, we want to have our -- this traditional -- customary and traditional use documented, and then the Western Arctic caribou coming into Unit 18, both the State and the Federal agencies, that when they come into Unit 18, that we should open a caribou season in that unit

with a five-caribou per day.

CHAIRMAN WILDE: Right.

MR. ANDREW: (In Yup'ik)

CHAIRMAN WILDE: Uh-huh. Yeah. Randy, you have a problem with some?

MR. KACYON: No, I just want to make quick statement. If you're going to submit this proposal to the Federal Subsistence Board, I guess I would also encourage you to submit it to the State Board. Proposals are due December 5th.

And also, I want -- you might want to put something in there that there is a caribou management plan for the Western Arctic herd, and it includes all the villages on the North Slope clear down to Nome and Unalakleet, Stebbins and St. Michaels, so any regulation changes have to follow the management plan. This regulation doesn't go against the management plan in its current state, but there is a provision in the Western Arctic Caribou Herd Management Plan, if the herd gets below 200,000 caribou that there may be more restrictive regulations in the future, so that's the only thing is we need to make sure that anything we submit as a proposal is -- abides by the Western Arctic Caribou Herd Management Plan.

MR. PETOLA: Well, this would reference -- Mr. Chairman, this should reference the fact that this is -- it's not -- it kosher or, you know, it's not contradictory

CHAIRMAN WILDE: Uh-huh.

MR. PETOLA: to the Western Arctic Caribou Management Plan.

CHAIRMAN WILDE: You may continue.

MR. MATHEWS: Number four, "How will this change affect wildlife populations? This change will have no effect on the western caribou -- Western Arctic caribou, because the herd is large and healthy and would support the additional harvest."

CHAIRMAN WILDE: (In Yup'ik) It's okay?

MR. MATHEWS: Okay.

CHAIRMAN WILDE: Yeah.

MR. MATHEWS: Number five, "How will this change affect subsistence users? Adoption of this proposal would increase the subsistence harvest opportunity for qualified subsistence users on Federal public lands in Unit 18. This proposed regulation would provide a plentiful resource for feeding families dependent on a subsistence lifestyle."

MR. PETOLA: And legalize what's happening now.

CHAIRMAN WILDE: It's okay?

MR. MATHEWS: Okay.

MR. PETOLA: Yeah.

MR. MATHEWS: Under additional information, I wanted to make sure that this was linked to the special action that you -- we do need a clarification of what you did yesterday on that, but to link to the special action request from the Mountain Village Corporation, and so I just put in there, "This proposal mirrors the special action request," and I cannot pronounce that, if someone else

CHAIRMAN WILDE: Kuigpagmuit.

MR. MATHEWS: Thank you. "To establish a temporary opening for a caribou season north of the Yukon River. Adoption of this proposal would allow Unit 18 subsistence users in the -- in future seasons the opportunity to harvest Western Arctic caribou when they are available in Unit 18 north of the Yukon River."

CHAIRMAN WILDE: (In Yup'ik)

MR. PETOLA: I have just one question for Randy, or Vince maybe will be able to answer it. Has any other Council adopted such a resolution, because Western Arctic caribou are coming onto the Yukon and even south of the Yukon up around Galena and that.

MR. KACYON: Last year when we got

COURT REPORTER: Randy?

MR. KACYON: Okay. Last year when we got together with the Lower Yukon folks to start drafting a moose management plan, one of the questions was raised about the caribou that were present around Kotlik while we were holding our meeting in Emmonak right at the same time. And I told the group at that time that the State season was opened from February 1st to March 31st, but the Federal season, of course, was closed. I told them at that time that at my staff meeting in Nome, that I was planning on proposing to re-open that area to caribou hunting for a longer period of time. Now, I didn't say that we were going to align the regulations with the Western Arctic herd, but that -- if that's the wish of the public, that may be the tack that I would take. We were planning on having an emergency opening last year, and except -- I couldn't do it unless we actually saw the caribou, and when we went to do our aerial surveys, we never found any caribou, or they were -- they were outside the area, so we didn't open the season, but the plan is this year, at least my plans are to submit a proposal to my regional staff. If the regional staff approves it, it will go to the Board of Game at the spring meeting.

The problem with that is there's a possibility that the State season would not open until July 1st of '95, which doesn't address this winter, but it would -- it would be open in '95. There's no guarantees that the State will have a season this winter, except the February 1st through March 31st. But that's the plan, and that was the sort of discussion that went on on the

Lower Yukon.

We understand that there are Western Arctic caribou in the area, and we're -- we feel pretty positive that given a proposal to the Board of Game, that they may accept aligning the regulations in Unit 18 with Unit 22.

MR. PETOLA: And that population is pretty stable around 450,000?

MR. KACYON: It's actually up around 600

MR. PETOLA: 600?

MR. KACYON: to 700,000 now. The last time we did a census it was 450,000, and that was 1992.

MR. MATHEWS: Mr. Chairman, I'll take that to mean that with the additions that were mentioned that this proposal can go ahead? If -- let me go back to the question that we need to address to get clarification, your action yesterday on the special action that was similar to this, were you endorsing the special action from Mountain Village, or were you submitting a special action as of this Council? It wasn't clear in our notes, your action.

CHAIRMAN WILDE: Gene?

MR. PETOLA: I think -- I think the motion was to

CHAIRMAN WILDE: Supporting.

MR. PETOLA: support the special action request of

CHAIRMAN WILDE: Supporting it.

MR. PETOLA: Mountain Village.

MR. MATHEWS: And then the last thing that I have, to follow up on the request from Randy, we do have a quorum now, so you can take action. Are you intimating submitting a proposal to the Board of Game? We do have a representative of that State process. We can hand it right to her.

CHAIRMAN WILDE: Gene?

MR. PETOLA: Mr. Chairman, I move that the Regional Council submit a like and similar proposal on Western Arctic caribou in Game Management Unit 18 to the Alaska Department of Fish and Game, Board of Game.

CHAIRMAN WILDE: If there's any second?

MR. ANVIL: Second.

CHAIRMAN WILDE: Seconded by Antone. Discussion?

MR. JOHN: Question.

CHAIRMAN WILDE: The question's been called for. All who support make a proposal to State say aye.

IN UNISON: Aye.

CHAIRMAN WILDE: Opposed, same sign?

(No opposing responses)

CHAIRMAN WILDE: The motion have it.

MR. JOHN: Mr. Chairman?

CHAIRMAN WILDE: Yeah?

MR. JOHN: We say that we do not want to lose our traditional ways. When there were -- when the caribou disappeared a long time ago, an old man used to tell John that while you are alive, there will be more caribou or reindeer. And that old man was a scientist, and he understand that -- that elder, he has since died. That even though they had disappeared, and he mentioned to him once that in Paul John's lifetime there would -- there will be more caribou.

And he would also add that when he gets -- when he catches a caribou, to give him some meat, and then he -- once he asked Paul that, to leave some meat for him. He said, how could we -- how could we leave -- how could I leave meat for you when you are dead? When you are dead? And that old man answered that he could just in the summer dig a hole in the ground, put it in, and cover it. Or in the winter, dig a hole in the snow. So he is to say remember, when they are filled with gratefulness, that's how they would share with the elders then. So he's just sharing just a little remembering with an elder who has long since died said.

CHAIRMAN WILDE: Koyana. Yeah. Next on our agenda is number 58, moose, 21(E). It's this one here.

MR. MATHEWS: Well, Mr. Chairman, I thought we already looked at that, and I can go over it again if you would like?

CHAIRMAN WILDE: For the public.

MR. MATHEWS: Oh, for the public. Yes.

CHAIRMAN WILDE: Yeah.

MR. MATHEWS: Okay. Yesterday the Council took up the deferred Proposal #58, which is from the 1994/95 proposal year, and it deals with moose hunting in Unit 21(E). And the proposal was to prohibit moose hunting within one-half mile of the Yukon River during the February 1 through 10 season in Unit 21(E). The Council supported their -- or actually they voted to maintain their Council -- the Council's earlier opposition to the deferred proposal.

The reasonings that were given yesterday for maintaining that opposition to the proposal briefly were it would be

difficult to determine in the field where one-half mile distance from the Yukon is. The result -- this would result in confusion among subsistence users, resulting in potential citations, and the Council believes their traditional respecting wildlife and their cultural beliefs will protect the moose population present along the Yukon River during the February season. In addition, the Council could find no biological reason to restrict subsistence use along -- subsistence use of moose along the Yukon River.

That essentially captures what action the Council took yesterday.

CHAIRMAN WILDE: Yeah. Thank you.

MR. MATHEWS: Thank you.

CHAIRMAN WILDE: And also I think short explanation on our old business, Lower Yukon moose and update brown bear project, just for the public, a short explanation of what has been done. By someone?

MR. PETOLA: We can ask -- Mr. Chairman, we can ask John Mogart to give a short explanation on the

CHAIRMAN WILDE: Uh-huh. Okay.

MR. PETOLA: on the brown bear, Unit 18, project.

CHAIRMAN WILDE: Uh-huh.

MR. MOGART: Yes, I could talk about the brown bear. I'm John Mogart, Fish and Wildlife Service here in Bethel.

I won't go into the same level of detail that we did yesterday,

CHAIRMAN WILDE: Uh-huh.

MR. MOGART: unless there's some request for that.

Basically this was the second year of the Fish and Wildlife Service/Alaska Department of Fish and Game brown bear study in the -- in the Kilbuck Mountains. The first year capture operation, 1st to 7th June of 1993, we captured 26 brown bears and put -- that we put collars on. Five of those collars were shed, and there were 21 bears that kept collars on over the winter.

From the 1st to the 3rd of June, 1994, the original plans called for capturing the nine bears that would have made up 30 bears in year one, plus 15 new bears for 1994, plus recapturing eight of the bears that we captured in '93 so that we could examine their collars and expand -- and expand them. These were young bears who still had some growing to do, and we wanted to be sure and catch them and expand their collars. Instead of doing the full program, because of some controversy over the bear project, the compromise decision was made that all we would do in '94, we'd go in and capture nine new bears, which would -- which

would make up the total of 30 bears as originally proposed for the first year of the study, and we would also recapture the eight young bears that had their collars on that needed to be resized. That is what we did.

At this time we have 29 bears, 29 female bears with radio collars on them that are -- that are actively working. We follow these bears twice a month. We try -- we try to observe them twice a month using the radio telemetry from an -- from aircraft, and we're gathering baseline information now on things like productivity, how many young they have, mortality, and what have you.

The long-term purpose for this project, of course, is using -- when we have -- when we have the number of bears that we need marked, using a very intensive aircraft survey, we can go out and we can count the marked bears, and we can count the unmarked bears and using mathematics, we can come up with a statistically valid or a biologically sound estimate of the bear population in the Kilbuck Mountains. That will allow us to monitor -- to monitor and to manage these animals for the long term. Okay? And the long-term goal is not to be doing this radio collaring, these actual handling and capturing of the bears, but to only do this for a few more years, and then once we get -- once we get our study done, we should be through with ever having to capture the bears and put collars on them, and we can use -- we can use the -- from the information we find, we can use -- we can use that to estimate bear populations in the future so that we make sure that we always have healthy bear populations in the Kilbuck Mountains for subsistence hunting.

Any questions on that? Denny or Randy, did you want to add anything to that?

MR. STROM: Yeah, you might want to say that the study area is just a little piece of the Kilbuck Mountains, so it's not all the Kilbuck Mountain. (Indiscernible) opportunity providing -- advising (ph) that sightability on this. Mention that, so we can have something to compare to future surveys, somewhere that we -- that we don't have to have marked bears, so we know how many (indiscernible).

MR. MOGART: Yeah. I thought I'd answered that, but maybe I didn't say it well enough. Dennis Strom from the Yukon Delta wanted me just to make a couple of comments. When we talk about the brown bears in the Kilbuck Mountains, we're not studying the entire Kilbuck Mountains. We're just studying actually a relatively small piece. It's about 1500 square miles. It goes from North Fork Lakes down to Kagati Lake on the Togiak Refuge, and it goes from the Green Stone Ridge in the west to about the Gold Lake area in the west. So it's a smaller area. We're not studying all of the bears in the Kilbuck Mountains. It's a smaller area of the Kilbuck Mountains where we're doing this intensive work. Okay.

And, once again, by -- our intent is not to capture and mark every bear in our study area. We don't have to. With this study, we don't have to capture and mark every bear. We only have to capture and handle part of the animals, approximately

half of them, okay? And from that we can come up with an estimate that will give us -- that will give us an idea of how many bears we have and the relative health of the population. And in four or five years when this study would be over, with what we've learned from this collaring project, we can -- we hope we can then go out and just using something like aerial surveys, without marking bears, we can go out there and fly an area for a certain amount of time, and using something like the number of bears seen per flight hour, or some other index, we'll be able to know what the bear population is in the Kilbuck Mountains, and we'll be able to say, "Yes, we have a healthy population," or "No, the population is declining," or "The population is increasing," and that's the long-term goal.

Is there any questions?

CHAIRMAN WILDE: Myron?

MR. NANENG: It's not a question, but it's just a comment. In regards to studies of wildlife resources that are being utilized by people out in the Y-K Delta, it also relates the waterfowl that pass through our area, especially during the spring time, during the fall time, and also the interruption felt by the people out in the villages in their subsistence activities that are done by surveys, especially the aerial surveys.

My comment is that if that information is not the life or death of the resource, and if the information that's being gathered during the middle of the subsistence activity of our people in the villages, and that information is not going to be put to immediate use, why don't they just withhold on gathering that information, especially during the peak of the subsistence activity -- subsistence activities of our people within the villages? Because it does a lot of disruption on the efforts of our people out in the villages who are trying to gather food for the winter, and also during the spring time when they've run out of food. So I just -- that's just a comment that I make. Thank you.

MR. MOGART: Not to rebut anything that Myron said, because obviously sometimes the surveys that we do out there do have an effect, and I would like to assure the people here that we are aware of that, and we really do take great efforts to avoid impacting people out there conducting subsistence activities or whatever. Occasionally we'll -- an airplane will fly over somebody or whatever, and it's an unavoidable circumstance, but our pilots and our -- and our survey biologists and people working on the ground are told that folks out there have a right, have a need to be out there doing that, and that we should take every possible -- or make every possible effort we can to avoid disturbing people conducting subsistence activities or for anything -- any legal activity out there. We're really not out there trying to cause problems to any individual person. Unfortunately, sometimes a plane will fly over somebody and disturb them when -- it happens. I won't deny that it happens, but it's not intentional, and we really do try to -- try to avoid that. We are sensitive to what people are doing, and quite frankly don't like it ourselves when we're out there, but it unavoidably happens occasionally.

MR. JOHN: Mr. Chairman?

CHAIRMAN WILDE: Uh-huh.

MR. JOHN: The mentioning of waterfowl, that the people down there would like to add, the seal hunters out on the coast last year, seal hunters, maybe they were thinking about counting waterfowl populations. The seal hunters when they're looking for seals that are sleeping on the ice, those sleeping on the ice are easier to catch. When they -- that the -- there's low flying aircraft, they wake up the seals, and have them escape into the ocean. So last year they did not have very good seal hunt -- a successful seal hunt. And Mr. Pospahala heard these comments from Paul John and David O. David last year.

CHAIRMAN WILDE: Gene?

MR. PETOLA: Mr. Chairman, I agree with everything Mr. Naneng said. I'd just like to point -- state that I look at it that we are responsible, or required, mandated by ANILCA to manage on a subsis- -- with a subsistence priority. The brown bear population in the Kilbucks in Game Management Unit 18 is a subsistence resource to some of our villages. There are specific villages that utilize that resource for subsistence purposes.

At least the way I understand it, there is insufficient biological data now to really determine even whether or not the sport take, the trophy hunting of that population is detrimental to the population, and I -- I think it's important that this study continue if we're going to protect the subsistence -- the right and the continue subsistence harvest of that resource for our villages, because the only way we can determine if the sport hunt is having any detrimental effect on the population is by the continuation of this study, and the development of the data on that specific population.

CHAIRMAN WILDE: Bill?

MR. McCANN: This is not the custom, but I'm going to bring up what I hear about the Kilbuck Mountains, the reindeer, talking about a collar. The guy told me that he can hear that voice, suffering voice breathing for quite a ways. Hunters there. And they see this reindeer was suffering from the collar. So the hunters go over and shoot him down, to save him from suffering too much.

I don't think it's right to hurt the animal, because the animal -- people should look at that, too, even the game wardens -- I mean, if game wardens are checking the reindeer, they're hurting the animals, because if we hurt some dog here, the animal people will punish us also. That should be looked at by those people, not with the Fish and Game or Fish and Wildlife all the time, because they -- they are hurting these animals. That should be brought up to them people, to look at that. I don't think it's right to hurt the animals just because you want to count how many animals we've got in the area. I don't think that's right.

I think they can -- they can at least count the area without collar, that I can see. They've got planes, helicopters, and they can count anywhere, anything they want to without a collar.

If that collar, got their collars, just to contact where it is, the little radio. You don't need no radio on looking for the bear or looking for the reindeer. They can fly over and count it. I don't think that's right. That should be brought up to the animal department to look at that. They're hurting them. Thank you.

CHAIRMAN WILDE: Before we go into next on our agenda, I would like to introduce State Advisory Committee's coordinator, Ida Alexie. She has been working with the State Advisory Boards for quite more years now. I was with him -- with her for a while, too, on the State.

Before we go into the next on the agenda, I think I would like to ask Dick Pospahala to explain us what some of our -- towards Board members concerning charter, the charter we were looking at yesterday, and my understanding this Council here, that they were urged to operate close to Robert's Rules of Order. Robert's Rules requires three consecutive missing person should be terminated, but this charter that requires us now look like it's away from Robert's Rules of Order, only two consecutive missing of meetings with no excuse. We would like to give us your explanation, because this Board has to be -- understand how this -- Yeah.

MR. POSPAHALA: All right. That's fine, Mr. Chairman. You caught me off guard, I didn't know I was going to have to do this, but when I -- when I came in this morning, Chairman Wilder asked me about some of the changes that had been made in the charters that are presently in Washington for the Councils to be renewed. And one -- as you know, last year we sent these charters out to all of Regional Councils for review and comment before we made any revision.

Not so much with this Council, but with some of the others they had some difficulties in that some of the members failed to show up for many of the meetings, and as a result of the comments we got, we elected to make a change on the earlier -- earlier charters, which indicated if a member missed three consecutive meetings, then they would be considered for removal. Generally the Councils are only scheduled to meet two times in any given year, so in response to the comments this year we made a year that indicated that in general if a member misses two consecutive meetings, that the Board Chair may recommend that that Council member be removed. However, I think it goes on to say that the Chair will concur -- or will discuss the situation with the individual regional councils should that situation arise. In the case of excused absences and things of that sort, we would most likely follow the advice of the Regional Council and would not just take unilateral action to remove anyone from that

MR. PETOLA: Dick,

CHAIRMAN WILDE: Gene?

MR. PETOLA: Yesterday during discussion of this charter, or

the language of the charter by this committee, the committee recommended that that language be amended slightly. Rather than three con- -- or two consecutive meetings, it be changed to two consecutive unexcused absences.

MR. POSPAHALA: Right. The difficulty now is that the charters have moved quite a ways through the process in Washington, D.C., and at this point in time it's almost impossible for me to try to make that change in them for this year. I'm not aware that we've had any -- any problems with this up to this point in time, and if it gets to be a problem, we'll work with the individual council to make sure that we don't end up removing people from the councils that have every intention of being a productive member of that council.

MR. PETOLA: Well, that's good to hear, because

MR. POSPAHALA: You can take my word for it, and

MR. PETOLA: the language is may.

MR. POSPAHALA: hope I don't get hit by a truck or something in the meantime.

MR. PETOLA: The language in there is "may," not "shall."

MR. POSPAHALA: Pardon?

MR. PETOLA: The language you have in there is "may remove," but not "shall."

MR. POSPAHALA: May, that's right. It's not mandatory that they be removed. And -- and we're not interested in reducing the number of people on these councils. We're interested in trying to get interested people and sticking with the ones who are. I don't think we have a major problem.

CHAIRMAN WILDE: Okay. Thank you.

MR. POSPAHALA: Sure.

CHAIRMAN WILDE: Before we get to update on Unit 18 Federal moose season, we're going to have five minutes break, and we have on our agenda people to be heard. In this people to be heard, we're going to spit it out the problems we have with the Lower Yukon and Upper Yukon and Lower Kuskokwim and Upper Kuskokwim concerning the problems of especially in the moose season. I think we -- these people, they're going to need some kind of support, because this problem is not a traditional subsistence way. We're going to have this -- this Council here be aware of it, and they're really concerned about it. The problems we have. It's really hurting the people. So when it come to the people to be heard, we're going to hear about that. At this time we're going to have five minutes break.

(Off record)

(On record)

CHAIRMAN WILDE: I'd like to make a ruling this morning -- I mean, this after- -- this morning. Because we didn't approve agenda, and also we are -- we're still continuation from the yesterday meeting, we used this agenda this morning as a guideline. I would like to give some people the opportunity at this time, move people to be heard up to new business. I think on the people to be heard, President of AVCP, he'll be leaving pretty soon, and they have -- they -- he's got some things to take care of.

I think Federal and State and also other organization, this part here, there has been concern about it, the problems we have. This problem we have to -- it's a serious problem. We need to have organization -- support from organization. From our elders, our customary and traditional use is something that is not used today, and also that customary and traditional uses, subsistence, our elders don't have no borderline.

But today we have a problem in Yukon and Kuskokwim both. This summer the rumors I hear in Mountain Village in the Yukon side, upriver people, they burn up the subsistence moose hunters camp, and took all the gasoline what they have. Sometime my understanding upriver they're shooting people downriver. It's a serious. It's something that has to be done. Not only in the Yukon, also here in Kuskokwim. My understanding now that what I hear from one of the person was telling me yesterday that upriver people, they chase the downriver people all the way home. And also they take their gear and not only that, shoot up the -- what they have, and also the birds what they catch, they shot them with a shotgun and tear them up. But that's a serious thing. Something that we cannot overlook.

This Board here continuously they're urging us that -- try to get some kind of help and meet with upriver or some other things. Maybe at this time I would like to ask President of AVCP if there's anything that you could?

MR. NANENG: He's very sad, but he's leaving for Tuntutuliak at 11:30 to meet with parents or the traditional council. He mentioned yesterday that on the 12th of October they will meet with the Kuskokwim Board in Anchorage at 10:30. That they have been hearing these problems, that the Kuskokwim, the -- some of them were also saying that -- that they had set up their tent below the mean high water mark. Since that \$400.00 permit system was in place, that they were being told that they need to take down their tents and tie red ribbons on trees. When he went up river, he saw those red ribbons where those tents were, where those camps were. And those camp sites, it is they usually set up tents where there is good ground. Some of the people's mind were not very good, saying that they were told to go home and to get off their land, get off that land. And then when it gets dark, and they need to set up camp at night, there is a very stressful situation. And in thinking of our children, what will our children do. And some -- for some of the kids it was the first time they went hunting, and some of the villages repairs (ph) those. That they are going to go upriver to purposely set up camp upriver. And some were saying that if someone comes to them, that they will take up arms and defy, and since that is a potentially dangerous situation here on the Kuskokwim, the

villages on downriver, that they might hurt some of the people who live upriver.

He has wrote to the Tuvik (ph) executive officer and they have set up a meeting on October 12th. And he's been hearing about the same thing on the Yukon, just as Harry said, that they are planning to meet with Will Mayo, to meet with the people from Holy Cross, that they mustn't -- and they talk about this.

They had already started this -- or this had already been a problem, but with the Kuskokwim Corporation, that those who set up camp below the mean high water mark. It's becoming a potential volatile situation for the future.

Paul John will be there in Anchorage, and Harry will be there, and he's asking that they be at that meeting.

CHAIRMAN WILDE: What date?

MR. NANENG: October 12 I meet, 10:30.

MR. JOHN: (In Yup'ik)

MR. PETOLA: Where at?

MR. NANENG: At the Kuskokwim Corporation offices.

And the Federal Subsistence Regional Council members, he wants you to be aware, that the Fish and Wildlife Service regional director retired. And Fish Wildlife -- the Fish and Wildlife Service, he wants to know who could replace, or to recommend someone. Or rather comment on who will take that person's place. And those of us who live on the Yukon and Kuskokwim since we are in a national wildlife refuge, and maybe to set up guidelines, and he wanted some input on what kind of a regional director or a replacement for that person, what kind of qualifications he or she should have. And maybe since after -- during the AFN convention he will be open for comment. And he will pass it on to the people in D.C.

He almost forgot one thing. At that time he will -- they will select someone from the Fish and Wildlife Service.

CHAIRMAN WILDE: (In Yup'ik) Koyana.

MR. McCANN: The conflict between upriver and downriver people in his -- what he thinks, that even though they think they're -- they think that's subsistence way of life, they -- the people upriver are against the subsistence way of life. the moose season opens and is open for a couple of weeks to a month, it depends on what area. And it's a very short time, and the people in that short window try to get some food and they spend a lot of money. And in his thinking that it's getting worse. Many Lower Kuskokwim people are starting to threaten the upriver people. They still have not carried out on their threats, and if someone is murdered or someone is killed, not only will that one person be killed, but it will affect all of us. And if there's a shoot-out, there will be -- it will be bad. That he heard that someone was shooting at a tent. Did they check to see if there

was someone in the tent? So it was -- if there was a hunter there, if there was a child there, there would have been fatality. So these corporations, all of the corporations they should meet together to meet about corporate lands, to discuss this problem.

The Lower Kuskokwim people will start talking about the berry pickers that come down. They go to Dunuanak (ph) by plane to pick berries. And maybe those -- the young people will start thinking about retaliating.

So before that happens, we need to try to work something. Maybe if someone is -- if someone may be eventually be killed, because of the animals. And the State may come in, or the Federal Government may come in. They will not stand idle if a fatality happens. The Federal and State are waiting for something bad to happen, waiting for a tragedy, a disaster. So before it escalates to that, we need to find a solution to this problem.

He thinks that the Holitna and the Hoholitna, if they want us to close that area, maybe they should open this area. And it is not just there's water, it's who's going to stop us for no travel on the river? Since we have water rights. The corporations cannot enforce and that they may -- someone may eventually be killed. Since the -- even the kids are different. Before that happens, we must meet with the corporations in the villages, leaders of each community before it's too late.

CHAIRMAN WILDE: Some of the people told Harry that -- that this -- that Calista Corporation started this thing back at corporate lands. That since this came up with corporate lands, it is spreading -- that idea is spreading like wildfire. Since they are

Last year at a -- when they had their meeting here, maybe you weren't here, Bill, that they wanted us to make a proposal and give it to AVCP and to Calista and to all the other village corporation. He has not yet seen that proposal. Or a resolution.

MR. McCANN: Yeah, even though that may have come from that -- from Calista, that corporations think that that is their strength, since there are a lot of corporate lands, but let's also look at this land that is before we had corporations. It belonged to no one. Everybody shared the land and lived off the land. And we used to go upriver, and the people upriver from below Aniak. Whenever he used a boat, came to those villages, they treat him well and tell them where they had sighted a moose, and maybe one of the villagers would take him to where they had previously seen the moose.

To -- he feels that to -- that if this Regional Council could surpass boundaries and regulate hunting, it is a problem. It's been like a long time. He has not an agriculture and he's not planted a plant, but he has lived off the land, which are all of God's gifts. So it's -- before someone's killed, how are we going to stop that? Maybe we need to have the corporations not to put up restrictions on any corporate land. We will ask the

corporations to do that. Who will be responsible for that on the Kuskokwim, to be the responsibility of all the Kuskokwim people, and it will be heard that the Kuskokwim people. And the same thing could happen on the Yukon.

Thank you.

CHAIRMAN WILDE: Koyana, Bill. (In Yup'ik) I've forgot your name?

MR. KEPPEL: My name's Willie Keppel.

CHAIRMAN WILDE: Your name and your affiliated -- what's -- what do you do?

MR. KEPPEL: First of all, thank you. My name is Willie Keppel. I'm responsible more than anybody else right now in this area for bringing the suit against the State for the 40 horsepower on the Holitna River. I'm with Boat Owners United, which is a conglomeration of everybody and anybody. We welcome help from all sides.

I'd like to give you a little background on how this all started. A little on myself first. First, I've had a professional hunting license for 14, 15 years. I don't even remember when I got it. I've been hunting out of Stony River Lodge the last eight years, and I've been flying the Holitna, all of the area up here for a long, long time. Lots of years, even before I started hunting out of Stony River.

I understand the Game Board, I understand professional hunters, and I know probably -- I have a better feeling for what is going on than probably anybody else in this room I would say right now, and I say that modestly, only because I've lived, I've hunted, and I make a living by killing.

It wasn't easy for me to do what I did. I have my own friends that have turned against me. I've been told I'll never get another guide license out of the State. If something should happen to mine, I'll never get another one.

But I feel that it was my responsibility. We're expecting a child in about one month from right now. Stella's from Quinhagak. She's Native. I'm not prejudiced. I never have been. And I also feel that my responsibility, besides the pocketbook, is to see to it that my friends, my neighbors, everybody else has food in their freezers, and for the last three years we have not had food in our freezers. My friends, my relatives, my Eluks (ph) have had a hard time of making a living of it.

I was -- I got totally disappointed in AVCP, all the corporations. Nobody was doing anything. Everybody was afraid. Everybody had a parameter they had to live in. And it seemed like the corporations were afraid to go against Sleetmute, because that's one native corporation against another native corporation, so that's why we go together, and there's -- we have over 1,000 members in Boat Owners United right now from off this Delta. They're from all walks of life. They're from all the

villages in the area, and we're all after a united goal, and that was to put meat in the freezers.

And the problem that we run into was that when Sleetmute came to Judge Kurda, they with their court records, which I went and obtained, and after all this court we've been through, I've read them from top to bottom, trust me, there was not one mention of the word "boat," that Sleetmute wanted restricted off of that Holitna River. They weren't after us down here.

What happened was -- was Judge Kurda gave Sleetmute a concession. It -- he says that the State has to give Sleetmute a concession. He didn't say what kind of concession. He just said the Game Board has to give a concession to Sleetmute. That's good. Sleetmute deserves -- all the upriver people deserve a concession of some sort. But what happened was the Game Board in their wisdom got rid of the airplanes. They took "airplanes" out of the word, and instead of airplanes, they put in the word "boat," and they restricted the horsepower, because of noise levels. Well, the State has never yet come up with -- with any professor from any of the universities that they pay all these boys (ph) to to show that there's any noise, decibel noise that affects the moose. They have nothing to base this on. And so this is what we were after.

But what's happened is when we went to court, we first tried -- I hired Chris Provost to do -- to check into this, to see how we can go about this. I says, if we're going to have 40 horse on the Holitna, then that's going to include all the professional hunters that land in the Holitna with big old turbine beavers. As soon as that air foil is off that wing surface and those floats are in the water, they become a watercraft. But yet at the same time, we can't go up there with anything over 40 horse, all the professionals in the world are landing in there with beavers in the same spot we can only have 40 horse. They're picking up moose hunters. They're picking up moose. They're picking up equipment. And if we go there with 40 horse, our boats were subject to confiscation. And this is after two shots at the Game Board trying to get them to level the playing field for everybody involved. If it's going to be 40 horse for us, it's going to be 40 horse for them, including Whitefish Lake and the whole drainage. But we can't do that.

The State only allowed us one route, and that was to tackle the 40 horse on the Holitna. That is the way we went. And I'm proud of my lawyers. They never once got vindictive towards the people upriver. We just did what we had to do to make the State open the Game Board up again to where they have to listen to us.

We've been too many times there. They say, "thank you very much for your comments, and move on to the next subject. They're not going to do anything. There's -- the professionals on the Board are not going to give nothing up. Nothing, nothing, nothing. And they're happy with it. They've got us blocked from State area, from State land. They have their own little private section up there where they can rape, they can kill, they can do whatever they want to do. They go back, they leave nothing in the communities. They leave dead meat laying all over. And this is what Sleetmute wanted rid of.

Well, now we have it in the Supreme Court. We have neither won, we have neither lost. We are waiting for the -- for their writ, which they can delay for as long a time frame as they want.

And personally we feel in our group that it was a political deal that they overturned, but didn't give a reason for overturning what they did. And they can delay this for as long as they want, and this means that -- they're employed by the State of Alaska, and they threw the bone back to their employer, said, "Well, we'll give you a bone, you better figure out a new angle, because these people really do have something on our sights."

Well, right now we have -- we're waiting for the writ. But what has happened in the meantime, I spent an hour yesterday talking to Moxie Alexie on the telephone. We sat and we talked and I says, "Geeze, Moxie, here's how it is." In Unit 18 and Unit 18 up there from the top of the Swift clear down to the top of the Tickchicks used to be just two guides: Pete Shepard, Curly Warren. And they had that whole entire area out there. Well, between the two of them, they would kill maybe -- maybe 20 bulls. And they were always 60 inch or better. They don't want nothing little. Well, then the State overturned as unconstitutional the Guide Board areas. Now in that same area, if you're a professional hunter and you've passed the -- you just pass the oral test for hunting Unit 18, they have to allow you in to Unit 18. And so now where there used to be two professional hunters taking 20 moose, there are according to Curly Warren, which is the guy I work for, and I haven't checked this, I'm going to get the paperwork from the State, there's 23 professional hunters running in the same area where there used to be two, and it's a rape and kill run that's going crazy. And Moxie understands what's going on, I understand what's going on.

I want my son that's coming along here to be able to hunt, the same as all you folks want your Uluks (ph) to be able to hunt, and your relatives and your friends. But what's going to happen is that because the Guide Board, the State of Alaska's responsible for, they have two professional hunters on the board, out of six people. Well, that's guaranteed two votes right there that nothing is going to change to take a dollar out of their pockets. They only have to swing one of the other four appointees to call it a stalemate and nothing happens. It gets tabled, done. So in other words, we have to swing all four to get anything, any concessions whatsoever out of them.

We have all -- Moxie sat down -- Moxie is going to bring his people down. And he sees that right now. He told me yesterday, he says, "Geeze, I wish you would have called us up and talked to us first and told us exactly what you're after." What we're after is to eliminate -- it's not to eliminate, but to slow down what the State has refused to even recognize, and that is that they have a rape and run situation going here. It's the people from the far side are coming across and they're doing exactly what Sleetmute wanted stopped in the first place, but with their -- with the Board and the vote and the wisdom, they've changed it around totally to where it's downriver against upriver people.

Moxie wants to come and join us. He realizes that we're in a situation here to where we're not really that far apart. He's -- he would -- they would rather have us coming up and spending

money in their communities so their stores can stock food on the shelves, and when they -- when they can afford to stock food and keep fuel in the tanks, they can afford to give lines of credit, which is the way you gentlemen all know the village stores operate, and that's the way they should. They extend their lines of credit. But when everybody from down here buys here and refuses to spend up there, because they think they all -- we're hated up there, then there's no line of credit for the people, and it hurts more people than what they ever imagined.

Right now I talked to the Thomases at Crooked Creek, Hermans in Red Devil, and now Moxie, and we all -- all of us agree on the same thing. There's been more damage done by this ruling by the State that we haven't been able to change, and we couldn't include in our court, we could never -- couldn't say one word about airplanes in our court hearings in Superior Court. There was never one mention of airplanes, and that's what Sleetmute wanted rid of in the first place.

Right now there is no restrictions on an air taxi operator. They do not have to post bonding with State, they do not have to notify the State where their camps are set at, and a registered guide has to do both, plus pay for his camp sites with the State, with the Feds, whoever it is. Air taxi operators are free to roam. Registered guides have to keep track of all meat. An air taxi operator can just throw the horns in and, so what, he don't care. It doesn't matter. He's not responsible for anything. The State has to change this policy.

And what we have right now, ONC has come to us, to Boat Owners United, and says, "You guys can work outside the parameters that we can," and I says, "Yes, we can, and we will."

So they have come, they have joined -- they're willing to join along and figure out what is going on with how Sleetmute got funded by the State so that the State can turn one people against itself. They're trying to figure that out for us right now, and there's a man back here can tell you a whole lot more about that operation than me.

But basically what it boils down to Moxie and the boys are going to come from upriver and they're going to join hands, and he agrees that the Kuskokwim Corporation, ONC, Boat Owners United, which is everybody and anybody who would like to be involved, anybody that can help. We have an idea, we have a way to go about it, and if we get what we want from the Supreme Court, which is just to throw it back to the Game Board and say, "Let's start this over and let's be fair about it," then it will work out to Sleetmute's benefit 100%, and Moxie -- Moxie knows this.

And that has been the stumbling block there. I don't see where if a bunch of intelligent people like sitting in this room can't sit down together and all join hands and go together to the Game Board instead of one little place fighting against a whole bunch, we all go in together and say, "Now it's time for the State to start regulating this."

If these boys continue at the pace they're going right now, according to the words of Jack Whitman, which I -- which Moxie

quoted to me yesterday, he was totally appalled at the amount of airplane activity, the amount of waste that's going on upriver, and he told Moxie that there is no way that the country can withstand this. Moxie says aside from all the airplane rape that's going on from the professionals, one bad winter will eliminate the surplus moose that's up there. Then where are we at? We're into tier two. Moxie doesn't want to see tier two any more than any of the rest of us want to see tier two.

It's time for AVCP to come together, quit hem-hawing around, and all of us sit down together. ONC is ready to sit down, Moxie's ready to sit down. It's time AVCP comes up and sits down, too, along with the Goodnews Corporation. We need all of the corporations. We need to stand together right here in this rural area and take the Game Board on on equal terms, and that is all of us together fighting to cut down the commercial harvest that's going on with the air taxi operations, the guide operations. We'd like to see a moratorium on guide licenses right now. It's -- they've got no place to put them. They just turn them loose and let them run and rape. That's what they're up to, and that's what they're going to do, trying to gather grandfather rights to where we can't ever block them again.

CHAIRMAN WILDE: You've got a lot more to go?

MR. KEPPEL: Not much.

CHAIRMAN WILDE: And next time if you -- we would like to see it on a paper if you're

MR. KEPPEL: Well, I'm sorry, but I didn't see anything in the newspapers either. Our meeting last night, we find nothing posted around here hardly at all. It's hard to see when there's meetings, and I didn't find out until yesterday afternoon either, or I would have been here and I would have submitted something, but with hunting season and everything else going, it's tough to keep up. I apologize.

But I told Moxie, I says, one thing that our group does propose and we will back the upriver people, we feel from Chuathbaluk to the top of the Kuskokwim, there should be open moose season. Fish and Game should walk around, hand a permit to anybody that has a hunting license. They should be allowed to shoot a moose on the Fourth of July. We don't care, because they -- when you need meat, you need meat. And it's not like they're hunting horns, they aren't hunting horns. They're eating -- they're killing to feed their families. The State should not have nothing to say about when they shoot a moose, and they should not have to hide the gut piles from the law enforcement officers. They should be able to continue life the way they want to continue life. Then the 40-horse problem is over and done with. If they want to shoot a moose the Fourth of July, shoot one the Fourth of July. If they want to go shoot one today, go shoot it today. That's what Moxie agrees to, too, and I think we're a lot closer together than what a lot of people think.

That's all I have. Thank you.

CHAIRMAN WILDE: Any chance you are a guide?

MR. KEPPEL: I'm sorry?

CHAIRMAN WILDE: Any chance you are a guide?

MR. KEPPEL: I have been a guide for 14 or 15 years, yes, sir.

CHAIRMAN WILDE: Yeah. That's all. (In Yup'ik) We're going to on. It's 12:00 o'clock.

MR. CHIEF: The people on Nickel (ph) had only one game -- game -- game warden as long as he can -- he used to stay down in a boat. One game warden in a boat. And one Trooper or one cop. Alaska in the Kuskokwim were afraid -- afraid of that one cop and one game warden, respecting both of them, these poor people. And then these poor people, this people, the teachings are better than the current regulations that we have now. Our elders' regulations, our laws, that in the wilderness and animal, you be gentle and careful with it. Don't waste or don't play. If you play or waste, our Creator -- if we waste fish or game, He will not give us any more.

When he was a little boy, he heard the people up there, when they cannot go out -- go out and that with his personal, they would just take care. Knows -- and just knows, and now we do not -- then they never -- and left everything else to rot. And then now that he's an elder, he -- now he hears there are caribou. Elders used to tell us and their laws are better than these game warden regulations. It is to take one person and meet with that person, not to reprimand them, but because they love them, and they would take that person and let him talk to -- talk to him. That is how the first people were then.

And then this law to respect the land and water, used in an example with a -- with a bowl. He was -- wants to say or would like to say that now that he's this old, he doesn't want to sit quietly, and since he has become an elder, it is not his -- or what he is saying, but what there has been passed down to him. If he makes us own and says things on his own, they will be mistaken.

He would to say to them there's the -- there's the Gussack. The Gussacks are violating our laws, and the laws of our elders, that they take an egg and stick off the right (ph) end, or right on the egg. You are not supposed to -- he's saying that you mustn't touch that egg. If you touch that egg, the mother bird will not incubate it further.

Well, now today he's hearing about collaring animals, and that is not good. Our elders tell us that you must leave that animal alone. Unless you are hunting it. You leave that animal alone, that it belongs to the wilderness. If you play with them, he may die.

Those old people then would tell us things that were right for us young people, but now that he's old, and the Gussaks are -- we can say these things. Because the -- us elders do not talk of things that we made up, but things that were passed down to

us. And everything that he's saying was passed down to him from his elders.

The Gussak stands up and makes a law. Our elders did not do that for right now and today. Our life are forever to -- now he hears that -- he hears that people come here and make laws for us and our land, even though they do not know our land.

Let's all be careful together, Gussaks and Yup'iks alike. Do not make a law that is not ours for our young people. Those of us who are older struggle to survive this long. You must think of what is right, that has been passed on from my elders. These laws are forever and eternity.

CHAIRMAN WILDE: Yeah. Koyana. Anyone else? Yeah.

MR. AFCAN: Thank you, Mr. Chairman, Paschal Afcan. Since our young people are not respecting the land, he's in support of what Joe Chief said, particularly the ways of the -- our people. That if we follow the ways of our people, will be better.

Andrew White wrote down that -- wrote down wanting to document these laws. I think it was two years ago that Mr. White had brought that up, to document what Joe Chief was saying, and he's in support of what Joe Chief said. And to meet with the councils and corporations. He's in support of talk -- having councils and corporations meet and talk. Koyana.

CHAIRMAN WILDE: Yeah. Koyana. If that's it, thank you for sharing your comments. I want to thank Joe Chief, he's the eldest -- the oldest one here in this building right now. And he's an elder and experienced. He's the man that you could ask him what is the customary, traditional uses. He's the man that knows.

I think that we've got three items here that we have to work on. We're going to have a break at 12:00 o'clock for lunch. I think at this time on our agenda is update Unit 18, Fed moose season. That's for the audience, I want someone to explain. One of the staff?

MR. COFFING: Mr. Chairman, I'll do that briefly. And I guess I might ask the Chairman if he has that -- that yellow

CHAIRMAN WILDE: Uh-huh. Yeah.

MR. COFFING: poster, if you have that?

CHAIRMAN WILDE: I have it here some place.

MR. COFFING: Okay. Well, a real brief update is that the status quo now is that on the Yukon, the area upriver of Mountain Village, I just wanted to make sure this was out, and maybe during a break over lunch, people can

CHAIRMAN WILDE: Uh-huh.

MR. COFFING: might want to walk around and look at

it. And it will be on the table here.

That on the Yukon during the September season, upriver of Mountain Village up to Paimuit, the current Federal and State season is September 1 to 30. The Kuskokwim season is August 25 to September 25 for Unit 18, the Kuskokwim portion. And that was the season this fall during the hunting season. That is the proposed season in the proposed federal rule. That is the plan to carry through from the Federal Subsistence Board is to continue those kind of seasons to accommodate the differences on the Yukon and -- and the Kuskokwim.

I think yesterday this Council asked to -- us to prepare a resolution or a motion supporting the continuation of those season dates as they are. There was actually a drafted proposal yesterday from the Kuigpagmuit Corporation at Mountain Village to do likewise, to continue with those seasons. And I think those recommendations will move forward Board certainly in the minutes and notes from this meeting.

So I'll leave it at that. Any questions that anyone might have, we can address those now.

MR. PETOLA: I would like to point out for benefit of those that weren't present yesterday that this Council held a telephonic public hearing in August and the information we received from those participating on the Yukon was that they would prefer a September 1/September 30 moose season for that designated area, and I've been told the Kuskokwim villages that participated in the telephonic -- telephonic -- telephone conference requested a September -- I mean, an August 25 to September 25th season here. And the actions of this Council yesterday were to basically accommodate those requests.

CHAIRMAN WILDE: Thank you, Gene. Randy, do you have anything to say? No?

If it's not, we'll go to the next one. New business is Subpart D process.

MR. FISHER: I have that part on the agenda, Mr. Chairman, and the Subpart D process is the means by which we set the seasons, harvest limits, the methods and means for taking wildlife, and those regulations appear in this booklet right here. And we're primarily concerned with Game Management Unit 18.

Now, in order to change a regulation, we need to submit a proposal, and that takes a proposal form. And each proposal form has a set of instructions for completing the form. It's pretty self-explanatory. One important thing that should be on there is the name and address and phone number of the person or agency who is going to submit the proposal, and with that, if there's any questions when it reaches our office in Anchorage, we can call that person and discuss those questions that we may have.

Now, when a proposal reaches our office in Anchorage, it's reviewed by our staff, and an analysis is written on each proposal, and the analysis consists of a biological evaluation

and a social/cultural evaluation. From there a proposal -- let me just back up just a minute. While we're doing the biological and the social/cultural evaluation, we do coordinate with -- say, if it's a proposal for Unit 18, we would coordinate with the refuge people here. We also coordinate with the Fish and Game, which would be Randy, and we try and get the latest biological data that's available. And we also try and get an update on the social/cultural information, and that would -- we would get that primarily from Mike Coffing.

The analysis looks at the proposal, and it analyzes the pros and the cons of the proposal. In other words, what are the -- what would the proposal -- what potential impacts would the proposal have on wildlife populations.

And then once the analysis is complete, the analysis is sent out to the Regional Council, which would be you people. And you people review the staff analysis, and you make a recommendation on that proposal, either you're for that proposal, or you're against that proposal, or you feel as though you need some additional information.

That proposal and the analysis then goes to an inter-agency staff committee. The inter-agency staff committee is composed of members of the five agencies that manage subsistence in Alaska. That would be the Fish and Wildlife Service, the Bureau of Land Management, Bureau of Indian Affairs, Park Service and Forest Service. The inter-agency committee reviews the staff analysis. They also review the Regional Council recommendation. They in turn make a recommendation, and they forward their recommendation to the Federal Subsistence Board.

The Federal Subsistence Board, they are the one that will take the final action on the proposal. They review the staff analysis. They also review the Regional Council recommendation. They also review the inter-agency staff committee recommendation, and they act on the proposal. They'll either pass the proposal, or they'll reject the proposal. They may modify the proposal. Or they may hold the proposal for additional information.

And that -- that pretty much concludes what happens to a proposal that's submitted. Does anybody have any questions?

CHAIRMAN WILDE: Thank you.

MR. POSPAHALA: Uh-huh.

CHAIRMAN WILDE: Next on our agenda is customary and traditional scoping process.

MR. COFFING: Yeah, Mr. Chairman, my name's Mike Coffing. I will briefly go over that with you. There is a hand-out on the table in back. It should be in your packets as well. It looks like -- it looks like this. That put together the -- it kind of outlines for you what the review process will entail and essentially what we're initiating now in terms of the scoping, scoping element of that review process.

As many of you know, when the Federal Subsistence Board

assumed management of subsistence resources on Federal Public Lands in 1990, at the time that they did that, they basically adopted the State customary and traditional use determinations. Now, those determinations essentially identify which communities are identified as having subsistence uses, in this example, in Unit 18 for particular resources. And for the benefit of the Council and the public, I have kind of summarized what the current determinations are, and they're on page four of the handout, so you know what they are as they stand now.

What's being initiated now is a process of actually looking and examining those, reviewing those, getting input from the Council, from the villages, from the public, from the land owners, as to any problems they have with the current determinations, what changes they would like to see, and, more specifically, who we should be talking to to gather good information to address concerns you might have and the public might have about the determinations.

The process will likely take a couple of years to complete for Unit 18, and there are a lot of resources that folks use for subsistence, and we -- you know, eventually we want to end up with having customary and traditional use determinations for most of those, if not all those -- if not all those. We're starting out, however, by looking at determinations for large mammals in order to get this process moving, and we're looking -- we're going to be looking specifically at moose, caribou, brown bear, black bear and musk oxen.

I think what I would -- you know, what I would hope that I could get from the Council, whether you do it today, or you follow up with it later on, or perhaps at the next meeting, is any suggestions that the Council might have for which communities or which organizations do you think I should be talking to in order to let them know this process is beginning, and also to contact to get the best subsistence information we can get, so that when we're describing subsistence uses for these particular species, we do it the best that we can, so that we provide the best information to the Federal Subsistence Board when they make their final determinations, probably a couple years from now.

CHAIRMAN WILDE: I'd like to make a recommendation if it's okay with the Council? We should put that thing on agenda for next meeting and we're to go home to our people and talk about that in some meetings before next meeting. So that's the time that maybe we will give you the recommendation which village to talk to and all that. Because I think I'd rather to see our people in our village share with this one now.

MR. COFFING: Uh-huh.

CHAIRMAN WILDE: Because it's important.

MR. COFFING: Uh-huh. Mr. Chairman, I might ask I think the permission of the Council, in wanting to maybe try to get information out to folks relatively soon. I'm thinking I -- I'm a little hesitant maybe to wait until February to try to start getting any kind of mailing out to alert people. And I'm wondering if it would be okay with the Council if -- if we could

send out essentially a letter alerting residents that we're beginning this process, that we want some input, if I could send that to certainly the Regional Council members, the members of the various advisory committees that -- through the areas, all of the city and traditional councils in Unit 18, and I think also it would be appropriate to send it to some villages, communities that are close to Unit 18, like Lower Kalskag or Holy Cross, Togiak, and some that potentially would be using resources in Unit 18. Would there be a problem with initiating that sort of letter prior to the next meeting?

CHAIRMAN WILDE: Gene?

MR. PETOLA: No, I think it's imperative that we disseminate this information to those -- to those interested parties and get some input back before our next meeting.

CHAIRMAN WILDE: Uh-huh.

MR. COFFING: Yeah. Okay. Well, that's -- that's what I will plan to do then. And all of you can expect sometime in the near future then to get a scoping letter sent to you and we'll also be putting together somewhat of a schedule so that folks have some idea of what kind of a timeline we're looking at with this. Okay?

CHAIRMAN WILDE: Yes. Thank you.

MR. COFFING: Thank you.

CHAIRMAN WILDE: Yeah?

MR. POSPAHALA: Excuse me, Mr. Chairman?

CHAIRMAN WILDE: Dick?

MR. POSPAHALA: I'd just like to clarify a couple of things. I was out of the room briefly while Mike was speaking, and I don't know if he referred to the criteria in our regulations that will be used as guidelines for making the determinations on customary and traditional uses here on the Yukon Delta as well as statewide. Did you do that, Mike?

MR. COFFIN: Mr. Pospahala, I didn't talk about it directly, but I did provide it as an attachment on the handout to them.

MR. POSPAHALA: Okay. I want to encourage the Council to focus very carefully on those criteria, because it's not so much a matter of deciding what you want in terms of a customary and traditional use determination, as it is of examining the historical records to find out exactly what those customary and traditional uses have been in the past in order to make that determination.

And secondly, I think it's important to note that the situation with regard to musk ox on the Yukon Delta is a very questionable issue at this time in view of the fact that they haven't traditionally occurred here, and were not -- were not historically used as a subsistence resource, so any determination

along the lines of musk ox would be determined sometime in the future under very different process.

CHAIRMAN WILDE: Yeah. Thank you.

MR. POSPAHALA: Uh-huh.

CHAIRMAN WILDE: Anyone else?

MR. PETOLA: Mr. Chairman?

CHAIRMAN WILDE: Yeah.

MR. PETOLA: I'd like to ask a question if I can.

CHAIRMAN WILDE: Uh-huh. Go ahead.

MR. PETOLA: Possibly of Dave Sterns or Denny or Mogart. I'm a little concerned now, and I want kind -- some kind of reassurance or assurance, just to put myself at ease. Basically, the way I understand it, this U.S. Fish and Wildlife System nationwide is basically going to an ecosystem management concept. I look at ANILCA as a Congressional mandate to at least maintain species-specific management for those resources that have customarily and traditionally been subsistence resources, and heavily used as subsistence resources. Are we going to still be able to manage those resources on a species-specific basis?

MR. STERNS: Mr. Chairman, my name is Dave Sterns. I'm the refuge manager for the Yukon Delta Refuge.

In reply to Mr. Petola's comments, we have been directed by the director of the Fish and Wildlife Service to pursue an ecosystem-based management scenario, which means that we will try to consider all the species and all their habitats, but at the same time -- at the present time, this is a directive, this is not a law.

And as we all know, ANILCA is a law, and we're mandated, and I am mandated, as well as my staff, to follow the law. And there are four objectives in that law for the management of the refuge.

And one of the primary items in those -- in those directives to us for managing the refuge is to maintain wildlife diversity and maintain the habitats for the wildlife, so that is very high in our mandates, and it will continue to be.

And that doesn't necessarily mean that ecosystem management and the species management are two separate things, but it does mean that we will continue to pursue those four mandates in ANILCA.

MR. PETOLA: Thank you.

CHAIRMAN WILDE: Anything else? We've got one last on our -- yeah, go ahead?

MR. WHITE: He didn't like -- he doesn't like the idea of -- that potentially volatile situation to be recorded onto the minutes, under the people to be heard section.

CHAIRMAN WILDE: (In Yup'ik)

MR. WHITE: He's concerned that -- he does not want the young people to hear since -- under people to be heard session, he did not like the young people to hear that we are -- the Council is inspecting a potential shoot-out, but he's

CHAIRMAN WILDE: (In Yup'ik) If the secretary could

MR. ANDREW: Recorder.

CHAIRMAN WILDE: Recorder. (In Yup'ik) I would like to have -- I'd like to find out if that's possible, not to put some of this language that come out from people to be heard concerning a fight over some things Upper Yukon, down Yukon, Upper Kuskokwim and Lower Yukon. Some of the Council requests that some of that shouldn't be on the minutes, because of our young people, if they see it, there might be some kind of problem, if that's possible? Gene?

MR. PETOLA: I recommend that in drafting the minutes that portion of the testimony under people to be heard be paraphrased in a real general

CHAIRMAN WILDE: Uh-huh.

MR. PETOLA: in generalized language.

CHAIRMAN WILDE: (In Yup'ik)

MR. ANDREW: Mr. Chairman?

CHAIRMAN WILDE: Yeah.

MR. ANDREW: He was given directive by the Council to write a resolution to the effect that the conflicts between the upper and lower rivers, and he brought it to his supervisor, that the Fish and Wildlife Service does not have any jurisdiction concerning that, but that the upriver corporations and to Calista, it would be up to them. And then when he brought it to the attention of AVCP, AVCP said the same thing, that they said the same thing. But later on when they sit together face-to-face to bring that out.

MR. LUKE: Mr. Chairman, for the Lower Yukon Moose Management Committee, the next time we have a meeting, either in one of the Lower Yukon villages, I would like to invite any of the Council members that have time. If you have time, you know, you could attend our meeting and, you know, just see how we do.

CHAIRMAN WILDE: Yeah, thank you, James.

Some of the Council members have to travel at 2:00 o'clock. We've got one more item to -- on our agenda, that's report of the Designed Hunters

MR. ANDREW: Designated.

CHAIRMAN WILDE: Designated Hunters Task Force. If that's possible, try to make it brief and short report. make it nice.

MR. MATHEWS: Make it nice?

CHAIRMAN WILDE: Yeah.

MR. MATHEWS: Okay. Mr. Chairman, the Federal Subsistence Board had three proposals I believe it was from Southeast, and one proposal from Kodiak Island asking for some type of proxy or designated hunter system to be established. The Board then directed the staff to work with the Alaska Department of Fish and Game and the ten Regional Councils to establish a task force to look at the options for making available to subsistence users a way of providing for others.

The report I gave you yesterday is the full report. Here, it looks like such. It has four options. The four options are, and hopefully I can capture them correctly, are the local and tribal -- local management option, tribal management option, community harvest option, and the designated hunter option. The local management and tribal management options are not available at this time due to jurisdiction, but the task force wanted them to be looked at and information provided to you.

The purpose of the report and the task force was to give guidelines to the process and to the Councils of what is possible underneath a program to allow one person to hunt for another. Let's see, the community harvest limit -- I need to go over this kind of quickly. I know there's short time, but the other reason is that these are guidelines that will help the Federal Subsistence Board and you when you either develop proposals or are reviewing proposals that come before you to see if they would -- would meet the needs. So I'll quickly go over the summary of the community harvest option.

That option would provide -- provides for hunters to harvest resources that are shared. It provides for allocations based on subsistence studies, permit data, and/or consultation with Regional Advisory Councils. The community harvest option would have a certain number of an animal allocated to a community. Determining that number or amount would be based on these studies, permit data or consultation with your Council. It allows customary and traditional practices to influence the manner in which resources are harvested and shared. It allows for harvest monitoring to be done by a community official.

And then I'll go through what -- where it may most adequately apply based on the task force. It would be most successful in nonroad-connected, culturally and socially homogenous communities with less than 400 people, i.e., communities that are all of the same culture. 400 people, potentially not on the road system. It would be difficult, but impossible (sic) in communities with 400 to 1,000 residents if they're not all of one culture. It is applicable in situations where harvestable surplus must be allocated between subsistence users.

The other option the designated hunter option, which we

discussed a little bit this morning, discussed a bit more yesterday. It is based on the State's proxy system, but it does not have the requirements that you be 65 or older, disabled, blind, and et cetera. It does not require a special designated permit or some type of form, unless it's needed during -- during times of conservation. Essentially what it is, the person who -- okay. I'll just read it. "To designate a hunter, the person to whom the tags and permits were originally issued must print their name, sign it, date and give the name of their community or area of residence, and enter their number, their current valid hunting license number on each tag or permit. Tags and permits can be distributed among designated hunters." Harvest monitoring, "which was a concern within this whole thing, "would still be the responsibility of the designated hunter. This option is not affected by community size or character, and it will work with any species."

And essentially I've tried to meet your requirement of making this brief, but I would encourage all to look at this. This is the foundation of trying to make the regulations reflect more of the customary and traditional practice of providing for others.

So as of yesterday, there was a question as to where does this report go. The information I got back from the office was that the Board will probably take this under advisement and use this as guidelines when they have proposals in front of them requesting for a community harvest limit or requesting a designated hunter one. They will probably, meaning the Federal Subsistence Board, will get an update, they'll probably get a copy of the report at its November meeting, but as far as the comments that are submitted by the public and by councils, those probably will not go before the Board until April -- the April meeting.

And I think I've covered it all, if -- unless there's some other questions in this -- this program, the task force report.

CHAIRMAN WILDE: Is there any question? Randy?

MR. KACYON: One question.

COURT REPORTER: Randy.

MR. KACYON: I just have one question. This is Randy Kacyon with the Department of Fish and Game. Is there -- has there been any guidelines set up as far as designated hunters, how many times this thing is going to be transferred around to people, or is it a one-time deal or two times, or who's responsible for reporting?

MR. MATHEWS: This

MR. KACYON: Are those details are going to be worked on later on? That was my main question.

MR. MATHEWS: Those details will be worked out later. The -- it's my understanding they'll be worked out later as far as how many times you can transfer and how many are you potentially

hunting for under a designated hunter. And I forgot your other question, but that I believe is detailed in here, your third question in there on that. Unless someone else has that same question, then you could rephrase it, but I kind of lost your third

MR. KACYON: Well, the other -- yes, the other question I had was who's responsible for reporting, or is that going to be worked out later also?

MR. MATHEWS: Oh, according to the report, that is the designated hunter is responsible for reporting. Thank you for rephrasing it.

CHAIRMAN WILDE: Any more questions? If it's not, that's -- where we are, that's the last of our -- on our agenda. The only thing is establish time and place for next meeting. Remember that this meeting is supposed to be on the Yukon River. We approved that last meeting. So we didn't follow up the place and time we're supposed to have meeting. As the Chair, I want to invite you to Mountain Village for next meeting. That's connecting villages -- four villages right there, that will be opportunity to we'll have some people come to our meeting, if it's okay with the Council, we would like to invite you to Mountain Village for next meeting.

MR. PETOLA: Mr. Chairman, I move that the next meeting of the Yukon-Kuskokwim Delta Subsistence Regional Council be held in Mountain Village, the time to be determined by the Chair working in consultation with the coordination.

CHAIRMAN WILDE: If there's any second?

MR. JOHN: Second.

CHAIRMAN WILDE: Seconded by

MR. PETOLA: Paul John.

CHAIRMAN WILDE: Paul John. Discussion?

MR. WHITE: Question.

CHAIRMAN WILDE: The question's been called for. All who favor it, say aye?

IN UNISON: Aye.

CHAIRMAN WILDE: Opposed, same sign?

(No opposing responses)

CHAIRMAN WILDE: Motion carried. The next meeting will be in Mountain Village.

This time, for benediction, we will ask Antone Anvil to give us benediction, and after that we'll adjourn.

MR. ANVIL: (Gives benediction in Yup'ik.)

CHAIRMAN WILDE: Someone make a motion to adjourn?

MR. WHITE: Mr. Chairman, I move.

MR. ANVIL: Second.

CHAIRMAN WILDE: Motion. There's a motion on the floor and a second. All who favor, say aye?

IN UNISON: Aye.

CHAIRMAN WILDE: Opposed same sign?

(No opposing responses)

CHAIRMAN WILDE: Motion carried.

(END OF PROCEEDINGS)

C E R T I F I C A T E

UNITED STATES OF AMERICA)
) ss.
STATE OF ALASKA)

I, Meredith L. Downing, Notary Public in and for the State of Alaska and Reporter for R & R Court Reporters, Inc., do hereby certify:

THAT the foregoing pages numbered 116 through 164 contain a full, true and correct Transcript of the Yukon-Kuskokwim Delta Alaska Subsistence Regional Advisory Council meeting taken electronically by me on the 5th day of October, 1994, beginning at the hour of 9:00 o'clock a.m. at the KVNA Building, Bethel, Alaska;

THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed by me to the best of my knowledge and ability;

THAT I am not an employee, attorney, or party interested in any way in this action.

DATED at Anchorage, Alaska, this 12th day of October, 1994.

Notary Public in and for Alaska
My Commission Expires: 7/3/94

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